

UAW LEGAL SERVICES PLAN

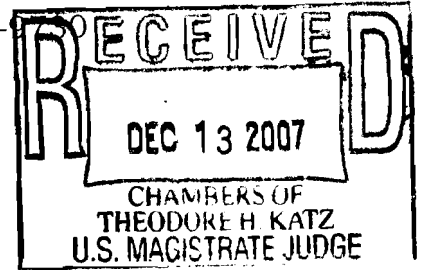
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OVERNIGHT MAIL

December 12, 2007

Hon. Theodore Katz
United States District Court Magistrate
Southern District of New York
United States Courthouse
Courtroom 1660
500 Pearl Street
New York City, New York 10007

RE: Forrest v. Unifund Financial Group, et al
Case No. 04-5151

Dear Magistrate Katz:

As the Court is aware, I am attorney of record for the Plaintiff in the above entitled action.

Please consider this letter as a follow-up to my letter dated December 5 which itself was a follow-up to my letter dated December 4 which contained a proposed Order. Rather than again recite the issues involved, I request that the Court review and incorporate by reference said prior letters.

As the Court is aware, Defendants' counsel addressed a letter to the Court dated December 10 in which he indicated that the documents would be delivered no later than December 11. **As of the mailing of this letter, no documents have been produced.**

I once again ask for the entry of default Judgment. If the Court is unwilling to do so, I am requesting leave to file a motion. In addition, I am requesting that the Court further consider and decide upon those portions of my proposed Order that dealt with sanctions against Defendants' attorney.

As the Court is well aware from my prior letters, with the recent startling admission by Defendant's counsel in his letter dated December 5, it is clear that Defendants counsel, through his letters dated September 18, September 27 and November 19, along with his statements at Court conferences, has been intentionally misleading this Court for the past 5 months concerning the imminent deliver of documents.

I also note that neither the letters dated December 5 nor December 10 addressed to this Court by Defendants' counsel express any statement nor attitude of contrition, remorse or apology to this Court and to this counsel for his behavior.

In addition, a Court conference is required in order to establish a new discovery Order since the existing one is moot due to the intentional and continuous violations of Orders and dilatory tactics of Defendants' counsel.

Respectfully Submitted:

Eric N. Aglow
Eric N. Aglow

Cc: Alfred Ferrer, Esq.

If all responsive documents are not produced to Plaintiff's counsel by 12 Noon on December 14, 2007, Defendant shall face severe sanctions, including the possible entry of a default judgment.

SO ORDERED

12/13/07

Theodore H. Katz
THEODORE H. KATZ
UNITED STATES MAGISTRATE JUDGE